

Call to Order at 9:30 a.m.

Present: Committee Members Bill Weistling, Gene Langan, Mike Quinn, Buzz Henifin, Winnie Lewis, Win Abbott and Pat Schuchman.

Absent: Vicki Carmean, Diane Tingle, Audrey Serio

Public Attendance: None

Minutes:

- Buzz Henifin made a motion to approve the minutes of November 9, 2010 seconded by Mike Quinn. Motion approved.

Discussion of Ordinances Under Review:

- Bill Weistling stated that included in the packet for discussion at this meeting are Vicki Carmean's comments regarding restaurants and tailors in the event the committee would begin discussion on either. (Discussion did not get beyond allowable uses in the residential zone. Bill further commented that when we do get to discussion of allowable uses in the commercial zone, he would be in favor of eliminating allowable uses and change that portion of the ordinance to what is not allowed in the commercial zone.)
- Chapter 160 – Zoning: Bill reported that the definition of "Park" discussed by the C&O committee was presented to Town Council. They liked the definition but want to wait to proceed until a Park Committee has been appointed. We will then add the definition and include "Park" in Chapter 160-3 (District Boundaries).
- Also included in the packet for discussion is the definition of "Family" as it appears now in our codebook, the definition discussed at previous C&O meetings and the proposed definition submitted to us by the Town attorney.
- After some discussion it was agreed to keep the definition of "Family" as proposed by the Town attorney but to change the number of "four" persons living together to "five" since our code allows a total of five bedrooms in a single family residence and to remove the last sentence which includes verbiage on "domestic servants".
- Further discussion continued that this will conflict with our licensing code where a maximum of twelve persons may occupy a rental unit. This will be put on hold until a complete review of this chapter.
- Buzz referred to previous discussion. Chapter 160-1: in the first sentence we will change "or" to "and". Chapter 160-2B: definition of "uninhabitable attic" – the last line "storage of mechanical equipment" will be change to "storage and mechanical equipment".
- Chapter 160-4B – discussion of "height regulations" and an allowance for an exception for commercial elevators to exceed the 30' up to a maximum of 7'. Bill also mentioned if we would like to consider "architectural embellishments" to elevator shafts on roofs to eliminate the square, boxy type look.
- The exception for a commercial elevator not to exceed 7' above the 30' height regulations should be included in Chapter 160-6A(2) just as chimneys are permitted to exceed the height regulation.
- A discussion proceeded on whether to consider a change to how we currently measure the height from the crown of the road. Pat Schuchman mentioned that FEMA is currently reviewing FIRM maps and it is possible the base flood elevation requirement may change and a higher requirement is possible. Preliminary studies will be completed by January 2012. The C&O committee will wait until then to consider any changes to the height and measuring point (street or floodplain). Both of these issues could possibly change.
- Chapter 160-4C – remove "per family".
- Chapter 160-4C(1) – Lot Area – remove "per family".

- Chapter 160-4C(6) - there was discussion of whether to consider changing the FAR from 70% to 71% for lots measuring 5,000 square feet or less to enable such a property owner to build to setbacks and not be minimally impacted the FAR. Again, such an exception can be included as a "General Regulations: exceptions" in Chapter 160-6.
- Chapter 160-4D - change "\$15,000" to \$50,000" which would make a fair valuation of a minimum size dwelling more current.
- Further discussion on Chapter 160-Zoning- will proceed at the next C&O meeting and will start with Chapter 160-5 – "Commercial Zone".

Comprehensive Plan:

- Winnie Lewis reported that the Planning Committee has drafted short-term and long-term goals of the Comp Plan and will bring copies to the next meeting. The five-year update is due in July 2011.
- Win Abbott commented that on the agenda for the next Planning Committee meeting is sidewalks and will include the study of sidewalks along Coastal Highway. He further commented that, although he has been receiving some letters and comments from property owners who oppose instituting sidewalks, he reminded all that this was an integral part of the Comp Plan which is on file with the state. Previously, DELDOT had promised funding for sidewalks but the availability of state funding has changed.
- Win also stated that the yearly Town audits have shown the Town Council as fiscally responsible with consistent reduction in operating expenses. Funding for capital expenditures such as sidewalks is obtained from Realty Transfer funds.

Next Meeting:

- Next meeting – February 1, 2011 at 9:30 a.m.
- Discussions planned will be:
- Continued discussion of Chapter 160 - Zoning

Old Business:

- None.

New Business:

- Mike Quinn expressed a concern that access to mailboxes was being obstructed by area contractors working throughout Town and would like to include prohibiting this in the parking ordinance. Pat explained to Mike she spoke with Chief Boyden who stated this is federally mandated and the Town cannot issue tickets although can deal with this in a case by case basis. Further, the Chief was not certain the Town could legally enforce such an ordinance.

Adjourn:

- Mike Quinn made a motion to adjourn the meeting, seconded by Buzz Henifin. The meeting was adjourned at 11:15 a.m.